

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ENERGY INTELLIGENCE GROUP, INC. )  
and ENERGY INTELLIGENCE GROUP )  
(UK) LIMITED, )

Plaintiffs, )

v. )

MIZUHO BANK, LTD., )

Defendant. )

Civil Action No. 1:17-cv-1508(RA)

**REVISED CASE MANAGEMENT PLAN  
AND SCHEDULING ORDER**

This Revised Civil Case Management Plan (the "Plan") is jointly submitted by Plaintiffs Energy Intelligence Group, Inc. and Energy Intelligence Group (UK) Limited ("Plaintiffs") and Defendant Mizuho Bank, Ltd. ("Defendant") (collectively the "Parties").

1. All Parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The Parties are free to withhold consent without adverse substantive consequences.
2. The Parties have not engaged in settlement discussions.
3. This case is to be tried to a jury.
4. No additional parties may be joined after December 15, 2017 without leave of the Court.
5. No amendments to the pleadings may be made after December 15, 2017 without leave of the Court.
6. Initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) have been exchanged by the Parties.
7. All fact discovery shall be completed no later than March 14, 2018.
8. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the written consent of all parties without application to the Court, provided that all fact discovery is completed by the date set forth in paragraph 7 above:

- a. Initial requests for production of documents have been served by the parties
  - b. Interrogatories have been served by the parties.
  - c. Depositions shall be completed by the close of fact discovery as set forth in Paragraph 7.
  - d. Requests to Admit shall be served no later than fourteen (14) days prior to the close of fact discovery, as set forth in paragraph 7.
9. All expert discovery, including disclosures, reports, production of underlying documents, and depositions shall be completed no later than sixty (60) days from the close of fact discovery, as set forth in paragraph 7.
  10. All discovery shall be completed no later than sixty (60) days from the close of fact discovery, as set forth in paragraph 7.
  11. The Court will conduct a post <sup>fact</sup> discovery conference on March 16, 2018 at 12:15 p.m.  
[To be completed by the Court.] No later than one week in advance of the conference, the Parties are to submit a joint letter updating the Court on the status of the case, including but not limited to whether either party intends to file a dispositive motion and what efforts the Parties have made to settle the case.
  12. Unless otherwise ordered by the Court, the joint pretrial order and additional submissions required by Rule 6 of the Court's Individual Rules and Practices shall be due thirty (30) days from the close of discovery, or if any dispositive motion is filed, thirty (30) days from the Court's decision on such motion. This case shall be trial ready sixty (60) days from the close of discovery or the Court's decision on any dispositive motion.
  13. Counsel for Parties propose the following alternative dispute resolution mechanism for this case:

Retention of a private mediator

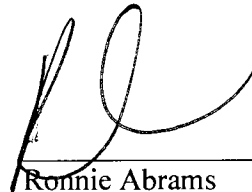
The use of any alternative dispute resolution mechanism does not stay or modify any date in this Order.

14. Counsel for the Parties have conferred and their present best estimate of the length of trial is 5-7 days.

SO ORDERED.

Dated:

Nov 13, 2017  
New York, New York

A handwritten signature in black ink, appearing to be 'Ronnie Abrams', written over a horizontal line.

Ronnie Abrams  
United States District Judge